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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 ***

10 DITECH FINANCIAL LLC F/K/A GREEN)
11 TREE SERVICING LLC AND FEDERAL)
12 NATIONAL MORTGAGE ASSOCIATION,)
Plaintiffs,)

Case No. 3:16-cv-00227-MMD-WGC

13 vs.)

14 STONEFIELD II HOMEOWNERS)
15 ASSOCIATION, AIRMOTIVE)
16 INVESTMENTS, LLC)

**JOINT MOTION TO EXTEND TIME
TO FILE NOTICE OF APPEAL**

17 Defendants.)

18 AIRMOTIVE INVESTMENTS, LLC, a Nevada)
limited liability company,)

19 Counterclaimant,)

20 vs.)

21 DITECH FINANCIAL LLC f/k/a GREEN)
22 TREE SERVICING LLC, a Delaware limited)
liability company; FEDERAL NATIONAL)
23 MORTGAGE ASSOCIATION, a federally)
chartered corporation; ANA RODRIGUEZ f/k/a)
24 ANA PUENTES, an individual; DOE)
individuals I through XX; and ROE)
25 CORPORATIONS I through XX,)

26 Counter-Defendants.)
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1 **JOINT MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL**

2 COMES NOW, Defendants, AIRMOTIVE INVESTMENTS, LLC (“*Airmotive*”) and
3 STONEFIELD II HOMEOWNERS ASSOCIATION (“*HOA*”), and Plaintiffs, DITECH
4 FINANCIAL SERVICES LLC f/k/a GREEN TREE SERVICING LLC (“*Ditech*”), and
5 FEDERAL NATIONAL MORTGAGE ASSOCIATION (“*Fannie Mae*”), by and through their
6 undersigned counsel, and hereby jointly move this Court to extend the time to file a Notice of
7 Appeal in this matter, stating as follows:

- 8 1. On July 3, 2019, this Court entered an Order granting Plaintiffs’ Motion for
9 Summary Judgment. [ECF #79]. On the same date, the Court entered a Judgment.
10 [ECF #80].
- 11 2. On September 18, 2019, This Court entered an Order granting Plaintiffs’ Motion
12 for Final Judgment Under Rule 54(b). [ECF #82].
- 13 3. On the same date, a Final Judgment was entered. [ECF #83].
- 14 4. Since the entry of the Final Judgment, Airmotive, HOA, Ditech and Fannie Mae
15 have been attempting to negotiate the terms of an amicable settlement of all
16 claims at issue between them in this matter.
- 17 5. The current deadline to file a Notice of Appeal is October 18, 2019.
- 18 6. The parties desire to further discuss an amicable resolution before incurring the
19 costs associated with an appeal.
- 20 7. Fed. R. App. P. 4 provides in pertinent part as follows:

21 (5) *Motion for Extension of Time.*

22 (A) The district court may extend the time to file a notice of appeal
23 if:

24 (i) a party so moves no later than 30 days after the time prescribed
25 by this Rule 4(a) expires; and

26 (ii) regardless of whether its motion is filed before or during the 30
27 days after the time prescribed by this Rule 4(a) expires, that party
28 shows excusable neglect or good cause.

 (B) A motion filed before the expiration of the time prescribed in
 Rule 4(a)(1) or (3) may be ex parte unless the court requires
 otherwise. If the motion is filed after the expiration of the
 prescribed time, notice must be given to the other parties in
 accordance with local rules.

 (C) No extension under this Rule 4(a)(5) may exceed 30 days after
 the prescribed time or 14 days after the date when the order

granting the motion is entered, whichever is later.

8. Pursuant to Fed. R. App. P. 4, Airmotive, HOA, Ditech and Fannie Mae respectfully request that this Court enter an Order extending the deadline to file a Notice of Appeal herein until (a) November 18, 2019 (because November 17, 2019 falls on a Sunday); or (b) 14 days after an Order granting this Motion is entered, whichever is later.

9. This Motion is made in good faith and not for purpose of delay.

Dated this 11th day of October, 2019.

ROGER P. CROTEAU &
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Federal National Mortgage Association

IT IS SO ORDERED.

By: 
Judge, U.S. District Court

Dated: October 15, 2019

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 11th day of October, 2019, I served via the United States District Court CM/ECF electronic filing system, the foregoing **JOINT MOTION TO EXTEND TIME TO FILE NOTICE OF APPEAL** to the following parties:

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